

STATE OF MICHIGAN
COURT OF APPEALS

SARAH J. LUTHER,

Plaintiff-Appellant,

v

JAMIE M. MORRIS and MICHAEL MORRIS,

Defendants-Appellees.

UNPUBLISHED

February 5, 2004

No. 244483

Muskegon Circuit Court

LC No. 01-041095-NI

Before: Markey, P.J., and Murphy and Talbot, JJ.

TALBOT, J. (*dissenting*).

I respectfully dissent. While the facts in this case establish that the injury to plaintiff's elbow limited her ability to drive during the two or so months of the period of recovery following the accident, I do not believe that plaintiff satisfied her burden of proof to establish that the injury affected her general ability to lead her normal life as required by MCL 500.3135.

/s/ Michael J. Talbot